

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: 07/03/2012
POSITION: Neutral, note concerns

BILL NUMBER: SB 1521
AUTHOR: Liu, Carol

BILL SUMMARY: Child welfare services.

This bill would make several changes to align statute with federal law for a variety of child welfare services programs. Most notably, this bill would: (1) specify family reunification services would not be required when a parent is found to be a registered sex offender; (2) require credit disclosures be provided on annual basis to youth in a foster care, when the youth reaches his or her 16th birthday, and assist nonminor dependents in obtaining credit disclosures to ascertain whether the youths have been the victims of identity theft, as specified; (3) make various revisions to the assessment procedures for the child welfare training program; (4) revise the requirements for the number and location of monthly caseworker visits for foster children; (5) expand the definitions of various services eligible to be funded by the federal Promoting Safe and Stable Families grant; and (6) make various technical and clarifying changes to educational stability reporting requirements and the Adoption Assistance Program.

FISCAL SUMMARY

This bill would result in an increased cost to counties as a result of providing annual credit disclosures to foster youth age 16 and above and to nonminor dependents. Given that this was a federal requirement prior to the passage of 2011 Realignment Legislation (Chapter 40, Statutes of 2012 [SB 1020]), it could be argued that counties would be entirely responsible for this increased cost. However, counties could assert that this bill would be a new state law and the state should provide for 50 percent of the costs as required by SB 1020.

This bill would also have a further impact on counties as a result of increased workload associated with increasing the number of caseworker visits. However, these costs were included in the allocation structure for 2011 Realignment.

COMMENTS

The Department of Finance is neutral, but notes the following concerns:

- Given that children's programs were shifted to counties under 2011 Realignment and the cost of providing credit disclosures was not included in this funding, it is unclear whether the state would be required to provide for 50 percent of the increased cost. It could be argued this federal requirement was already mandatory prior to this bill, pursuant to Public Law 112-34, and therefore should be fully funded by the counties as part of 2011 Realignment.
- It is unclear whether counties would individually request credit disclosures for their foster care caseload or if DSS would centrally perform this function. It is also unclear if counties would reimburse DSS if the department were to assist counties in providing these disclosures.
- The changes in various reporting requirements imposed on counties could create additional unidentified costs for which the state would be required to provide 50 percent of the cost as required

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Department Deputy Director		Date	
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

AUTHOR

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COMMENTS (continued)

by SB 1020. Furthermore, to the extent these provisions are not federally required, they could result in a state-reimbursable mandate.

Although this bill could result in additional costs to DSS, the provisions of this bill are necessary to comply with federal law. Failing to comply with federal law could result in fiscal penalties that would exceed the costs associated with this bill.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP					Fund		
	RV	98	FC	2012-2013	FC	2013-2014	FC	2014-2015	Code
5180/Social Svcs	SO	No		----	See Fiscal Summary	----			0001
5196/St-LC 2011	LA	No		----	See Fiscal Summary	----			3171
8885/Comm St Mndt	LA	No		----	See Fiscal Summary	----			0001
<u>Fund Code</u>	<u>Title</u>								
0001	General Fund								
3171	Local Revenue Fund 2011								